

Ref: FOI/GS/ID 7700

Please reply to:
FOI Administrator
Trust Management
Maidstone Hospital
Hermitage Lane
Maidstone, Kent
ME16 9QQ
Email: mtw-tr.foiadmin@nhs.net
www.mtw.nhs.uk

13 January 2023

Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to NHS sexual violence and misconduct.

You asked:

Under the Freedom of Information Act 2000, please provide me with the following information about incidents of sexual misconduct and sexual violence, including but not limited to sexual harassment, sexual abuse, sexual assault and rape, at the trust. (See after the question for clarification on these definitions.)

In order to assist you, I understand that some, if not all of this information should be recorded in the trust's safety incident reporting system, (e.g. Datix, NRLS or similar) or it may be recorded by your HR team.

N.B. For each question, please provide the data for each of the following years, and the five-year total. Please use the attached spreadsheet to provide your answers:

2017-18

2018-19

2019-20

2020-21

2021-22

Total

If you only have information for some of the above years, please provide what you have and explain the gaps in your data.

Sexual violence and misconduct by staff against patients

1. Over the past five years, how many incidents of sexual violence allegedly perpetrated by staff against patients has the trust recorded?

1.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by staff against patients has the trust recorded?

1.2 Over the past five years, how many staff have been formally disciplined for sexual violence and/or sexual misconduct against patients?

Sexual violence and misconduct by patients against other patients

2. Over the past five years, how many incidents of sexual violence allegedly perpetrated by patients against other patients has the trust recorded?

2.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by patients against other patients has the trust recorded?

Sexual violence and misconduct by patients against staff

3. Over the past five years, how many incidents of sexual violence allegedly perpetrated by patients against staff has the trust recorded?

3.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by patients against staff has the trust recorded?

Sexual violence and misconduct by staff against other staff

4. Over the past five years, how many incidents of sexual violence allegedly perpetrated by staff against other staff has the trust recorded?

4.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by staff against other staff has the trust recorded?

4.2 Over the past five years, how many staff have been formally disciplined for sexual misconduct and/or sexual violence against other staff?

Sexual violence and misconduct by visitors against patients

5. Over the past five years, how many incidents of sexual violence allegedly perpetrated by visitors against patients has the trust recorded?

5.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by visitors against patients has the trust recorded?

Sexual violence and misconduct by visitors against staff

6. Over the past five years, how many incidents of sexual violence allegedly perpetrated by visitors against staff has the trust recorded?

6.1 Over the past five years, how many incidents of sexual misconduct allegedly perpetrated by visitors against staff has the trust recorded?

Terminology:

Sexual misconduct covers a broad range of inappropriate, unwanted sexual behaviour. From the most severe forms of sexual violence, including rape and sexual assault, it also extends across to sexual harassment, stalking, and abusive or degrading remarks.

The NHS definition of sexual violence describes it as any sexual act that a person did not consent to, or is forced into against their will, including rape, sexual assault, unwanted sexual touching, forced kissing, child sexual abuse, sexual torture and other sexual offences.

N.B. If you require any clarification, please contact me under your Section 16 duty to provide advice and assistance.

Please use the spreadsheet below to provide your answers, following the Court of Appeal decision in Innes vs Information Commissioner and Buckinghamshire County Council (2014) GIA/3436/2011 regarding the format of the response, i.e. you should provide the response in the format requested. If the decision is made to withhold some of this data using exemptions in the Data Protection Act, please inform me of that fact and cite the exemptions used.

Trust response:

Please note: in order to differentiate between sexual misconduct and sexual violence using the terminology you provided the trust has used the following definitions:

Sexual misconduct - sexual harassment, stalking, and abusive or degrading remarks.

Sexual violence - any sexual act that a person did not consent to, or is forced into against their will, including rape, sexual assault, unwanted sexual touching, forced kissing, child sexual abuse, sexual torture and other sexual offences.

NHS trust name: Maidstone and Tunbridge Wells NHS Trust

1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	1	1	0	1	1	4
1.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	1	1
1.2	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	0	0
2	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	1	0	1	2	0	4
2.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	1	1	1	3	0	6
3	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	2	4	1	0	3	10
3.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	3	2	2	4	11
4	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	1	0	0	0	0	1
4.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	1	0	1	0	2
4.2	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	1	0	1	1	3
5	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	0	0
5.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	0	0
6	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	0	0
6.1	2017-18	2018-19	2019-20	2020-21	2021-22	Total
	0	0	0	0	1	1